

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1744 OF 2005

Vincy D'Silva .. Petitioner.

V/s.

St. Mary's School & Others .. Respondents.

Ms.Sheetalkumar i/b. M/s.Milan Bhise & Co. for the petitioner.

Mr.I.M. Chhagla with Mr.Naval Agarwal and Mr.A.G. Kothari for respondent Nos.1 to 4.

Ms.Mugdha Jadhav, AGP for respondent Nos.6 and 7.

Mr.J.K. Mistry i/b. Mr.P.M. Havnur for respondent No.9.

Ms.Avantika Wankhede i/b. M/s.Divya Shah & Associates for respondent No.10.

CORAM : R.M. LODHA &
NARESH H. PATIL, JJ.

DATED : 20TH JULY, 2006.

ORAL ORDER (Per R.M. Lodha, J.) :

In the light of the discussion in the matter on earlier dates of hearing, the senior counsel for respondent Nos.1 to 4 handed in the Scheme to provide facilities to the students with learning disabilities of dyslexia, dysgraphia and/or dyscalculia. The Scheme is marked 'X' for identification purposes. The counsel for the petitioner and the counsel for other respondents are agreeable to the said scheme.

2. Having considered the said scheme, we find it

adequate, proper and beneficial to the students with learning disabilities. We, accordingly, accept the Scheme and observe that the said Scheme becomes operative with immediate effect.

3. The State Government, Education Authorities and all Schools in the State of Maharashtra having affiliation with any of the Boards viz., Secondary School Certificate Board (SSC), Indian Council of Secondary Education (ICSE) and Central Board of Secondary Education (CBSE) shall abide by the said Scheme in relation to the students with learning disabilities. The schools in the State of Maharashtra are also directed to abide by the circulars issued by the State Government from time-to-time not inconsistent with the Scheme 'X' approved by us today. The disobedience or non-compliance of the Scheme in relation to the students with learning disabilities by any of the schools in the State of Maharashtra shall be treated as disobedience of the order of this Court and they shall be proceeded with accordingly.

4. We direct the three Boards viz., SSC, ICSE and CBSE to circulate the Scheme to all the schools under their jurisdiction and having their affiliation.

5. We record our appreciation for the sincere and

concerted effort of the senior counsel, the counsel, the Assistant Government Pleader and all concerned parties in finalisation of the Scheme.

6. The writ petition is disposed of with no order as to costs.

(R.M. LODHA, J.)

(NARESH H. PATIL, J.)